



RESPONSE UNDER 37 C.F.R. 1.116 -
EXPEDITED PROCEDURE - EXAMINING GROUP 1651

Attorney's Docket No. 33339/206076

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Laurent Benbadis, et al. Confirmation No.: 8151
Appl. No.: 09/700,687 Group No.: 1651
Filed: February 14, 2001 Examiner: Ruth Davis
For: MUTANT LACTOBACILLUS BULGARICUS
STRAINS FREE FROM BETA-GALACTOSIDE ACTIVITY

Commissioner for Patents
Washington, DC 20231

October 17, 2002

TECH CENTER 1600/2900
OCT 22 2002

RECEIVED

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of three months to respond to the Office Action dated April 22, 2002.
2. Applicant is a small entity; other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other Than Small Entity	Fee for <u>Small Entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$400.00	\$200.00
<input checked="" type="checkbox"/> three months	\$920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months*	\$1,960.00	\$980.00

*Cannot be used to exceed six-month statutory

limit for response to an Official Action.

Fee Enclosed \$920.00

Charge Deposit Account No. 16-0605 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,

Ernest B. Lipscomb, III
Registration No. 24,733

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CERTIFICATE OF MAILING

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Date of Deposit: October 17, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.

Lorna Morehead